

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY  D.C.

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THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W/D OF TN, MEMPHIS

AZMAN ENTERPRISES, INC., et al., )

Plaintiffs, )

v. )

No. 2:05cv2349-D/V

CONOCOPHILLIPS COMPANY, )

Defendant. )

**RULE 16b SCHEDULING ORDER**

Pursuant to a written notice a scheduling conference was scheduled for August 25, 2005. Participating in the drafting of this order were Michael Richards, counsel for Plaintiff, Baker, Donelson, Bearman, Caldwell & Berkowitz, First Tennessee Building, 165 Madison Avenue, Suite 2000, Memphis, Tennessee 38103 and Buffey Klein, counsel for Defendant, Husch & Eppenberger, 200 Jefferson Avenue, Suite 1450, Memphis, Tennessee 38103. At the conference, the following dates were established as final dates for:

1. Initial disclosures Pursuant to Rule 26(A)(1) of the Federal Rules Of Civil Procedure are due September 9, 2005.

2. The deadline for joining parties and amending pleadings is October 25, 2005.

3. The deadline for filing initial motions to dismiss is November 25, 2005.

4. The deadline for completing all discovery is March 2<sup>5</sup>, 2006.

5. All documents will be produced by January 25, 2006.

6. All depositions, interrogatories and requests for admissions must be taken or answered by the discovery cut off of March 25, 2006.

7. Expert witnesses disclosures Rule 26 expert information will be disclosed by January 25, 2006.

8. Defendant's Rule 26 expert information will be disclosed by February 25, 2006.

9. Expert witnesses depositions will be completed by March 25, 2006.

10. Dispositive motions will be filed before May 25, 2006.

Other Relevant Matters:

11. No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the rules prior to that date.

12. Motions to compel discovery are to be filed and served by the discovery deadline or within thirty (30) days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within thirty (30) days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

13. This case is set for a non-jury trial, and the trial is expected to last two (2) days. The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge.


14. The parties are reminded that pursuant to Local Rule 11(a)(1)(A), all motions, except motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a proposed order.

15. The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

16. The parties have consented to trial before the magistrate judge.

17. This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

IT IS SO ORDERED.

  
DIANE K. VESCOVO  
UNITED STATES MAGISTRATE  
JUDGE

DATE: August 17, 2005

OF COUNSEL:

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Buffey Klein, Esq.  
Husch & Eppenberger  
200 Jefferson Avenue  
Suite 1450  
Memphis, Tennessee 38103  
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## Notice of Distribution

This notice confirms a copy of the document docketed as number 5 in case 2:05-CV-02349 was distributed by fax, mail, or direct printing on August 19, 2005 to the parties listed.

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Honorable Bernice Donald  
US DISTRICT COURT